IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE N/S Dover Road, 2,100' E of c/l of Trenton Road

15705 Dover Road 5th Election District

3rd Councilmanic District Ernest C. Young, Jr., et ux Petitioners

> \* \* \* \* \* \* \* \* \* \* FINDINGS OF FACT AND CONCLUSIONS OF LAW

\* BEFORE THE

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* Case No. 90-503-A

The Petitioners herein request a variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 23 feet in lieu of the required 35 feet, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for a Residential Variance, the subject property having been posted and there being no request for a public hearing, this matter is ready for determination. The Petitioners are requesting a variance to allow an accessory structure (garage/storage area) to be located in the side yard in lieu of the required rear yard.

The Petitioners have filed the supporting affidavits, as required by Section 22-26 (b)(1) of the Baltimore County Code. There is no evidence in the file or record to indicate that the subject variance would adversely affect the health, safety and/or general welfare of the public.

In the opinion of the Zoning Commissioner, it is established that the information and affidavits provide sufficient facts that comply with the

requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners. Based upon the information available, the relief should be granted.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21 57 day of 1990 that the Petition for a Zoning Variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 23 feet in lieu of the required 35 feet, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent the relief granted herein:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall not allow or cause the subject addition to be converted to a second dwelling uit and/or apartment.

3. Upon request and reasonable notice, the Petitioner shall permit a representative of the

Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

> Zoning Commissioner for Baltimore County

cc: Peoples Counsel

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

June 20, 1990



Mr. and Mrs. Ernest C. Young, Jr. 15705 Dover Road Upperco, Maryland 21155

Case No. 90-503-A

RE: Petition for Residential Zoning Variance

Dear Mr. and Mrs. Young:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Very truly yours, /Zoning Commissioner

cc: Peoples Counsel

## PETITION FOR RESIDENTIAL VARIANCE 90-503-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

/ To permit a side yard setback of 23 feet in lieu of the required 35 feet	war mininger and the production of
	ANAP ALLES
	C-1
	E.D. STH
	<del></del>
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the foundation of practical difficulty)	ollowing reason
retitioner needs to build additional garage/storage space to accommodate addit	ionaloo

vehicles, and for security due to break-ins in the vicinity. Present garage is near  $\frac{G - Z \cdot C}{C}$  existing side setback limit. The most expedient, practical, and cost efficient so fittien. is to extend existing garage area laterally along east side of residence, which would

I. or we, agree to pay expenses of t	he above Variance posting and, if necessary, advertising, upon filing are to be bound by the zoning regulations and restrictions of coning law for Baltimore County.
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser:	Legal Owner(s):
	MR ERNEST C YOUNG, JR (Type or Print Name)
(Type or Print Name)	Ma Ernert C Change Is
Signature	MRS GEORGIA L YOUNG (Type of Print Name)
Address	- (Type of Print Name)  Mina Herroro, F. Young
City/State/Zip Code	Signature
Attorney for Petitioner:	w- 795 - 2800 2
	15705 DOUER RD. H-374-2315
(Type or Print Name)	UPPERCO MP. 21155
Signature	City/State/Zip Code
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted.
	MRS GEORGIA L YOURG
Attorney's telephone number	Name

ORDERED by the Zoning Commissioner of Baltimore County, this 11th day of May, 1990, that the subject matter of this petition be posted on the property on or before the 30th day of May, 1990.

A QUELIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED,

IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 19\_\_\_\_, that the subject of this patition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughbut 8-limore County, that the property be reposted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_day of \_\_\_\_\_, 19\_\_\_, at \_\_\_\_\_o'clock,

ZONING CONTRISSIONER OF BALTIMURE COUNTY

AFFIDAVIT
SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with

That the Affiant(s) does/do presently or upon settlement will reside at 15765 DOUER ROAD, UPPERCO, MD. 21155

That based upon personal knowledge, the following are the facts upon which I/we base the request for for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty) Petitioner needs to build additional garage/storage space to accommodate additional

vehicles, and for security due to break-ins in the vicinity. Present garage is near existing side setback limit. The most practical solution is to extend existing garage area laterally along east side of residence, which would require a variance of the

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

ERNEST C YOUNG JR AFFIANT (Printed Name)

AFFIANT (handwritten Signature) GEORGIA L. YCUNG-AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF CHRICOLL, to wit:

I HEREBY CERTIFY, this 9/1 day of 1990, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared FRIETO VOUILE & GEORGE L. Wille

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

GEOFFREY S. BLACK
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 1, 1990

Beginning at a point on the north side of Dover Road which is 50 feet of right-of-way width wide at the distance of  $2^{100}$  feet east of the centerline of the nearest improved intersecting street Trenton Road which is 50 feet of right-of-way width wide. Being Lot # 177,

as recorded in Deed Liber 4311,

Folio 278, containing 0.659 more or less acres in lot. Also known as 15705 Dover Road and located in the # 5 Election District.

ZONING DEPARTMENT OF BALTIMORE COUNTY  Townsen, Maryland  70 - 503 - A		
District 5 4/1 Posted for:	Date of Posting Transition	
Posted for:	) - 1 /2//	
Location of Signs:	1 157 15 Down Port	

CERTIFICATE OF POSTING

Baltimore County Zoning Commisioner County Office Building 111 West Chesapeake Avenue Tawson, Maryland 21204

TO DESCRIBE CAROLINET EDUCE IN Y \$35.000 OSC -FOSTING SIONS / ADVERTISING 1 % \$25.00 TOTAL: \$60.00 LAST HAME OF CHNER: YOURS

B 8 244\*\*\*\*\*\*\*\*\*\* 5 0 5 0 5 a 5 1 1 2 F

Please make cherks payable to: Baltimore County

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

Zoning Commissioner

Dennis F. Rasmussen
County Executive

Mr. & Mrs. Ernest C. Young, Jr. 15705 Dover Road Upperco, Maryland 21155

Re: CASE NUMBER: 90-503-A ITEM NUMBER: 393 LOCATION: 15705 Dover Road

Dear Petitioner(s):

No hearing having been requested by your neighbors or by the Zoning Commissioner, the above matter has completed the Administrative process.

Please bring the sign and post to 111 W. Chesapeake Avenue, Towson, Maryland, Room 113 at your earliest convenience. When you return the sign and post, you will be given a copy of the written Order relative to this case.

Thank you for your cooperation.

Very truly yours, Thether G. G. Stephens (301)887-3391

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204

a) Date this letter (original & file copy), mail original to petitioner.

b) DO NOT MAIL ORDER. d) When sign & post returned, petitioners will be given

Mr. & Mrs. Ernest C. Young a) Give file to Gwen to notify parties and schedule hearing. 15705 Dover Road Upperco, Maryland 21155

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner

May 17, 1990

Mr. & Mrs. Ernest C. Young, Jr. 15705 Dover Road Upperco, Maryland 21155

Dennis F. Rasmussen

Re: CASE NUMBER: 90-503-A \* ITEM NUMBER: 393 15705 Dover Road LOCATION:

Dear Petitioner:

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case numbers. \*Any contact made to this office should reference this number.

After the closing date to file a request for hearing has passed, the file will be taken to the Zoning Commissioner for review. You will next receive from this office:

 Notice that a formal request for hearing has been filed, taking the matter out of the administrative process. This will mean advertising and reposting of the property and a public hearing to be scheduled approximately 30 - 45 days from receipt of said notice.

Notice that the matter has completed the administrative process and that you may return the sign/post and pick-up your Order.

Very truly yours,

700 East Joppa Road, Suite 901

J. Robert Haines Zoning Commissioner Office of Flanning and Zoning Baltimore County Office Euilding Towson, HD 21204

Dennis F. Rasmussen

RE: Property Owner: ERNEST C. YOUNG, JR.

> Location: #15705 DOVER ROAD

Item No.:

Gentlemen:

Baltimore County

Towson, Maryland 21204-5500

Fire Department

(301) 887-4500

Paul H. Reincke Chief

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

MAY 21, 1990

Zoning Agenda: MAY 29, 1990

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: Cot Jest Kly5-31-90 Approved (apt 1) 7 Brate for Company Fife Prevention Bureau Special Inspection Division

JK/KEK

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

J. Robert Haines Zoning Commissioner

May 18, 1990

Mr. & Mrs. Ernest C. Young, Jr. 15705 Dover Road Upperco, MD 21155

Dennis F. Rasmussen

RE: Item No. 393, Case No. 90-503-A

Petitioner: Ernest C. Young, et ux Petition for Residential Variance

Dear Mr. & Mrs. Young:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Zoning Plans Advisory Committee

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

Your petition has been received and accepted for filing this

ZONING COMMISSIONER Received By:

Zoning Plans Advisory Committee

Petitioner: Ernest C. Young, et ux Petitioner's Attorney:

15th day of June, 1990.

Plat to accompany Petition for Zoning X Variance Special Hearing ROPERTY ADDRESS: 15705 DOVER ROAD see pages 5 & 6 of the CHECKLIST for additional required information \_\_\_\_ AS RECORDED IN DEED\_LIBER 4311 plat book#\_\_\_\_\_,follo#\_\_\_\_\_,lot#\_<u>177\_,</u>section#\_\_\_\_\_ FOLIO\_276 , ETC. DWNER: ERNEST + GEORGIA YOUNG House built 23 yRS. ago. APPR. Vicinity Map 1.5 ACRES scale: 1'=1000' LOCATION INFORMATION Councilmanic District: 3 Election District: 5 1'-200' scale map#: NW, ATK Zoning: RC-Z Lot size: 0.659 30.000 square feet SEWER: 🗌 🛛 WATER: 5 ACRES Chesapeake Bay Critical Area: Prior Zoning Hearings: NONE Zoning Office USE ONLY! reviewed by: ITEM #: CASE#: date:5/8/90 Troc. Scale of Drawing: 1 = 50 R. C. 2 

R. C. 2

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

DATE: May 22, 1990 J. Robert Haines Zoning Commissioner

Pat Keller, Deputy Director Office of Planning and Zoning SUBJECT: Ernest C. Young, et ux, Item No. 393

The Petitioners request a Variance to side yard setback

requirements. In reference to the Petitioner's request, staff offers no

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

000,000

R. C. 2